

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.07 F, Closed Area No. 20, Upper Kennebec River and Tributaries, promulgated on December 14, 2000 is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.07 F, Closed Area No. 20, Upper Kennebec River and Tributaries.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters and mussels from all shores, flats and waters of the Kennebec River and tributaries, bounded by the shoreline and the following 4 lines: (1) from the southernmost point of land on the western shore of Thomas Cove at the end of Red Gate Lane (so-called), Westport Island, through the southernmost point of land on Beal Island to a point on the eastern shore of Georgetown Island; (2) from the northern tip of Bartlett Point, Westport, extending northwesterly to the southern tip of Bluff Head, Woolwich; (3) a line drawn from the most southern tip of Bluff Head (Arrowsic) easterly across the Kennebec River to the nearest point of land in Phippsburg; and (4) line across the State Route 127 bridge spanning Back River from Arrowsic to Georgetown Island.

A. **EXCEPTION:** Harvest of shellfish will be allowed in Brookings Bay, Woolwich between the following two lines: (1) upstream and northerly of a line drawn from the southernmost tip of Hockomock Point, Woolwich northeasterly to the westernmost tip of Hubbard Point, Westport Island, northerly to the southernmost tip of Bluff Head, Woolwich and (2) southerly of a line drawn across the northeast corner of Brookings Bay beginning at a painted post on the eastern shore 1200 feet north of Daggard Point and extending northwesterly to Whites Point.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. 6204).

EFFECTIVE DATE: May 9, 2003

AGENCY CONTACT PERSON:

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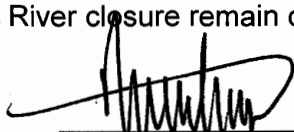
TIMES RECORD

May 13, 2003

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources (DMR) repeals the emergency regulation 95.07 F, Closed Area No. 20, Upper Kennebec River and Tributaries, promulgated on December 14, 2000 and replaces it with a new regulation. This new regulation closes Hall Bay, Georgetown.

The remaining portions of the Upper Kennebec River closure remain closed due to pollution.



DAVID ETNIER
Deputy Commissioner



Maine Department of Marine Resources

C20 Upper Kennebec River

5/9/03

